

MI  
FILED BY *cy* D.C.

FILED BY *AW*

05 NOV 23 PM 5: 01

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
05 NOV 23 AM 10: 32

THOMAS M. GOULD  
CLERK, UNITED STATES OF AMERICA  
W.D. OF TENNESSEE

Plaintiff,

v.

CASEY SUTTON  
Defendant.

MOTION GRANTED CR No. 05-20185-MP

*Jon Phipps McCallum*  
JON PHIPPS McCALLUM  
U.S. DISTRICT JUDGE

*Nov. 23, 2005*  
DATE

---

MOTION FOR A CONTINUANCE OF THE SENTENCING HEARING AND  
MEMORANDUM IN SUPPORT THEREOF

---

COMES NOW Defendant, Casey Sutton, by and through his attorney of record, L. Daniel Johnson, and moves the court for an order continuing his sentencing hearing for approximately two weeks.

In support of his motion Defendant would show that are issues regarding his guideline calculations that are not routine, and will probably require proof both by the Defendant, and by the Government, and the Defendant needs additional time to prepare.

Attorney for the Defendant would show that he has consulted with Special Assistant United States Attorney Greg Gilluly, Jr., and Mr. Gilluly has no objection to a brief continuance.

Wherefore Defendant moves the Court for an order continuing his sentencing for at least two weeks.

28

Respectfully submitted,

---

L. Daniel Johnson #10006  
Attorney for Defendant  
2552 Poplar Avenue, Suite 213  
Memphis, TN 38112  
901.324-9355

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Position of Defendant with Respect to Sentencing Factors has been delivered via hand delivery, to Greg Gilluly, Jr. Assistant U.S. Attorney, 800 Federal Bldg., 167 N. Main, Memphis, TN 38103; and Wright White, U.S. Probation Officer, 167 N. Main, Room 234, Memphis, Tennessee, 38103.

This 23rd day of November, 2005.

---

L. Daniel Johnson



## Notice of Distribution

This notice confirms a copy of the document docketed as number 28 in case 2:05-CR-20185 was distributed by fax, mail, or direct printing on November 28, 2005 to the parties listed.

---

L. Daniel Johnson  
LAW OFFICE OF L. DANIEL JOHNSON  
254 Court Ave.  
Ste. 300  
Memphis, TN 38103

E. Greg Gilluly  
U.S. ATTORNEY'S OFFICE  
167 N. Main St.  
Ste. 800  
Memphis, TN 38103

Honorable Jon McCalla  
US DISTRICT COURT